

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, et al., ex rel.  
CHARLES STRUNCK, et al.,

Plaintiffs,

v.

MALLINCKRODT ARD LLC.  
(f/k/a Mallinckrodt ARD, Inc.;  
f/k/a Questcor Pharmaceuticals, Inc.),

Defendant.

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UNITED STATES OF AMERICA, et al., ex rel.  
SCOTT CLARK,

Plaintiffs,

v.

MALLINCKRODT ARD LLC.  
(f/k/a Mallinckrodt ARD, Inc.;  
f/k/a Questcor Pharmaceuticals, Inc.),

Defendant.

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~~REPOSED~~ ORDER

Pursuant to Federal Rule of Civil Procedure 41(a) and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and pursuant to the terms and conditions of the September 3, 2019 settlement agreement among the United States, Relators Charles Strunck and Lisa Pratta, Relator Scott Clark, (collectively the “Relators”) and Defendant Mallinckrodt ARD LLC, formerly known as Questcor Pharmaceuticals, Inc. (“Mallinckrodt”) (“Settlement Agreement”),

the parties have filed a Joint Notice of Partial Settlement and Stipulation of Dismissal. Upon consideration of the Stipulation and the papers on file in these consolidated actions:

- 1) Each Relator's action with respect to the Covered Conduct, as that term is defined in the Settlement Agreement, is dismissed with prejudice;
- 2) The remainder of each Relator's action is dismissed with prejudice as to each respective Relator but without prejudice as to the United States, except that:
  - a. no part of any Relator's action as to the allegations contained in the United States' Complaint in Intervention is dismissed; and
  - b. Relator Clark's employment claims (retaliation in violation of 31 U.S.C. § 3730(h) and Oregon state law) are dismissed without prejudice ; and
- 3) No part of the United States Complaint in Intervention, or any liability related to Excluded Acthar Claims, as that term is defined in the Settlement Agreement, is dismissed.

IT IS SO ORDERED, .

This 24 day of September, 2019.



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HONORABLE BERLE M. SCHILLER  
*Judge, United States District Court*